



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,206	01/21/2004	Kia Silverbrook	RRA21US	1340
24011	7590	05/12/2010		
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER GARCIA JR, RENE	
			ART UNIT 2853	PAPER NUMBER
			NOTIFICATION DATE 05/12/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pair@silverbrookresearch.com  
patentdept@silverbrookresearch.com  
uscorro@silverbrookresearch.com

# Office Action Summary

**Application No.**

10/760,206

**Applicant(s)**

SILVERBROOK, KIA

**Examiner**

Rene Garcia Jr

**Art Unit**

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/225)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 March 2010 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4 and 5 are recites the limitations that are dependent upon canceled and non-existent claim 7. There is insufficient antecedent basis for the limitations in the claims.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 4, 5, 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Haldorsen (US Pat. No. 6,749,294).

**Haldorsen discloses the following claimed limitations:**

\*regarding claim 6: inkjet printer system comprising: (Fig. 19-23; ABS; C1L6-10, 35-52; C2L15-22, 31-41)

\*printer/426/ (C12L55, 56) having a first cradle/448/ (fig. 19; C12:61-66) defining a recess for receiving (C13L14, 15) a single cartridge/10/.

\*range of printer cartridges, each comprising a printhead having at least one performance characteristic (C8L42-55 teaches black and color cartridges and it is further known that printer cartridges can have printheads having different resolution capabilities [300dpi, 600dpi, etc.], ink compositions [chemical make-up, dye, pigment, etc.], capacities, and even number of nozzles; therefore allowing for the possibility of numerous possible cartridges being available meeting different requirements) that differentiates each printhead from other in the range (use of keying features/222, 322, 436, 492/ on cartridge and recess/136/ on cradle - C9L24-34; so that "inappropriate print cartridges" are not used - C10L31) each cartridge including a plurality of ink reservoirs for feeding the printhead (inherent feature of color cartridges - CMY)

\*second cradle, interchangeable with the first cradle

Haldorsen teaches different cartridge/cradle combinations by providing different key possibilities, see C9L23-34, C9L53-63, C10L25-54 for keying and matching

aspects; Fig. 8. & C8L4-21 for guide rod/44/ to which carriage base/48/ is attached; C9L30-34 for teaching of multiple key locations indicating multiple possibilities of matching arrangements; and C1L35-52, C2L31-41 teaching cartridges having different features with specific keying features.

The teaching of keying features indicates that an inherently interchangeable cradle that would need to be used based on the cartridge (color, black or variation of either as provided above as examples) of desired use.

\*printer performance is adjustable upon replacement of one cartridge from the set of supported cartridges with another cartridge from the set of supported cartridges (inherent feature based on desired cartridge to be used as outlined above)

\*second cradle supports one or more functionalities of a cartridge not supported by the first cradle (inherent feature based on desired cartridge to be used as outlined above)

\*regarding claim 4: wherein an inkjet printer cartridge/10/ not supported by a particular inkjet printer cradle/448/ is formed with a protrusion/ **keying features, 322, 222, 492, 436/**, or an indentation, that interferes with an indentation/**recess, 136/**, or a protrusion, of the particular inkjet printer cradle/448/ upon attempting to insert said cartridge/10/ into said cradle/448/ (Fig. 8, 19, 20; C1L35-52; C2L31-41; C9L23-34; C10L25-54)

\*regarding claim 5: indicia/**keying features, 322, 222, 492, 436/** are present on the inkjet printer cartridges/**10/** and on the inkjet printer cradles/**448 & recess, 136/** to indicate whether a particular inkjet printer cartridge/**10/** is supported by a particular inkjet printer cradle/**448/** (C9L23-34 – Fig. 3a,3b,4a,4b; C13L58-C14L16 – Fig. 19-23; C14L20-49; keying features/**322, 222, 492, 436/** can be visually seen and easily determined to be match to top cover of latch recess/**136/** for instance)

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haldorsen (US Pat. No. 6,749,294) view of Waller et al. (US Pat. No. 6,250,738).

**Haldorsen discloses all of the claimed limitation except for the following:**

\*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead

**Waller et al. disclose the following:**

\*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/**12/**, ink supply assembly/**14/**, and mounting assembly/**16/**) for the purpose of printing one or more lines at a time.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize inkjet printer cartridges are of a type having a pagewidth printhead as taught by Waller et al. into Haldorsen for the purpose of printing one or more lines at a time.

***Response to Arguments***

7. Applicant's arguments with respect to claim 6, see arguments filed 14 February 2010, have been considered but are moot in view of the new ground(s) of rejection. Haldorsen (US Pat. No. 6,749,294) teaches the use of keying system including keying features on a cartridge and recess features on a cradle to permit only specific cartridge(s) to be used in the system. Haldorsen teaches inherently that there are a plurality of cartridge/cradle combinations available as outlined in rejection above regarding independent claim 6 above.

**Communication with the USPTO**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia Jr whose telephone number is (571)272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. G./  
Examiner, Art Unit 2853

/Stephen D Meier/  
Supervisory Patent Examiner, Art Unit 2853